

**KEN ROSEN ADVISORS PC**

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*Proposed Counsel to the Debtor and  
Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

In re:

HIGHLAND PARK APTS LLC,

Debtor.<sup>1</sup>

Chapter 11

Case No. 24-22119 (MBK)

**AMENDED APPLICATION BY THE DEBTOR TO EMPLOY  
CHAPTER 11 NEW JERSEY COUNSEL**

Highland Park Apts LLC, as debtor and debtor-in-possession (“the “Debtor”), submits this Application for the entry of an order pursuant to sections 327(a), 328(a) and 329(a) of Title 11 of the United States Code (the “Bankruptcy Code”) and Fed. R. Bankr. P. 2014(a) authorizing the Debtor’s retention and employment of Ken Rosen Advisors PC (“KAR”) as its New Jersey counsel as of the petition date. In support of this Application, the Debtor respectfully states as follows:

**JURISDICTION AND VENUE**

This Court has jurisdiction over this Application pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2). Venue of the case and this Application in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

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<sup>1</sup> The Debtor’s service address for purposes of this case is 100 Franklin Square Drive, Suite 401, Somerset, New Jersey 08873.

### **BACKGROUND**

1. On December 10, 2024 (the “Petition Date”), the Debtor commenced a voluntary case under Chapter 11 of the Bankruptcy Code. The Debtor is authorized to continue to manage its affairs as debtor in possession pursuant to section 1107(a) and 1108 of the Bankruptcy Code. No trustee or examiner has been appointed in this Chapter 11 case.

### **RELIEF REQUESTED**

2. The Debtor wishes to employ KAR to represent and assist the Debtor during the course of this case in carrying out its duties under the Bankruptcy Code and to perform other legal services necessary to the Debtor’s continuing operations, as more fully described below.

### **KEN ROSEN ADVISORS PC QUALIFICATIONS**

3. The Debtor has selected KAR as its New Jersey counsel as because of the firm’s extensive general experience and knowledge, including its expertise in business reorganizations under Chapter 11 of the Bankruptcy Code.

4. Prior to the December 10, 2024 KAR did not perform legal work for the Debtor.

5. KAR has indicated a willingness to act on behalf of the Debtor and to render the necessary professional services as New Jersey counsel for the Debtor.

### **SERVICES TO BE RENDERED**

6. The services rendered or to be rendered by KAR as New Jersey counsel include the following:

- a. to advise and represent the Debtor as New Jersey counsel with respect to all matters and proceedings in this Chapter 11 case and as necessary and requested by White & Case LLP and/or the Debtor, to prepare on behalf of the Debtor applications, motions, answers, orders, reports, and other legal papers;
- b. to assist the Debtor in all bankruptcy issues which may arise in the administration of the Debtor’s affairs, including representation at the first meeting of creditors, evaluation of

assets, negotiations with creditors, interest groups, and any Official Committee of Unsecured Creditors, verification of claims, and asset disposition;

- c. to assist the Debtor with the preparation of and confirmation of a plan of reorganization;
- d. to assist the Debtor in the evaluation and prosecution of claims and litigation, including insurance coverage issues for the claims asserted against the Debtor; and
- e. perform all other necessary legal services and provide all other necessary legal advice to the Debtor in connection with this Chapter 11 case and its business operations.

**KEN ROSEN ADVISORS PC'S DISINTERESTEDNESS**

7. The Debtor has reviewed the verified statement of Kenneth A. Rosen filed concurrently with this Application (the "Statement"). To the best of the Debtor's knowledge, and as set forth more fully in the Statement, KAR does not hold or represent any interest adverse to the Debtor, and does not have any connection with the Debtor, its creditors, any other party in interest, its respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, except as may be set forth in the Statement. The debtor has requested an additional list of creditors from its former property manager and KAR will make further disclosures as necessary and appropriate upon receipt and review of that list.

8. Based on the Statement, the Debtor believes that KAR is a "disinterested person" under Section 327 of the Bankruptcy Code. The Debtor has been informed that KAR will conduct an ongoing review of its files to ensure that no disqualifying circumstances arise, and if any new relevant facts or relationships are discovered, KAR will supplement its disclosure to the Court. The Debtor does not believe that the information disclosed in the Statement should preclude KAR from representing the Debtor in this Chapter 11 case.

9. Crown and/or any affiliates of Crown have no recourse against the Debtor's estate for KAR's retainer, and neither Crown nor any affiliates have claims against the Debtor.

10. The Debtor also is filing applications to retain other professionals, including an application to retain White & Case LLP as lead bankruptcy counsel. The Debtor respectfully submits that the size and complexity of this Chapter 11 case as well as the pre-petition knowledge of the Debtor by White & Case LLP warrants the retention of White & Case LLP as lead bankruptcy counsel to the Debtor in matters discussed above. It is anticipated that the efficient coordination of efforts of the Debtor's attorneys and other professionals will greatly add to the progress and to the effective and efficient administration of this Chapter 11 case.

### **PROFESSIONAL COMPENSATION**

11. KAR has agreed to be compensated in accordance with the provisions set forth in Section 330 and 331 of the Bankruptcy Code and will apply to the Court for allowance of compensation and reimbursement of expenses in accordance with the applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules and orders of this Court.

12. KAR will bill the Debtor at a rate of \$600 an hour--which is a substantial discount from KAR's normal rates. This rate cap shall remain in place for the duration of Chapter 11 case. KAR will also bill the Debtor for its actual, reasonable and necessary out-of-pocket disbursements incurred in connection with the Chapter 11 case. Kenneth A. Rosen, Esq. is the only attorney employed by KAR. Paralegals will be billed at \$100 per hour.

13. No fees and costs were incurred prior to the Petition Date.

### **NOTICE AND PRIOR RELIEF**

14. No previous application has been made for the employment of KAR.

15. This Application has been served on the parties pursuant to Local Rules 2014-1, 2016-1 and 2016-3.

**WHEREFORE**, the Debtor respectfully requests that this Court enter an order approving employment of KAR as New Jersey counsel nunc pro tunc to the Petition Date.

Dated: January 22, 2025

**Highland Park Apts LLC**

By: /s/ Elizabeth A. La Puma  
Elizabeth A. LaPuma  
Independent Fiduciary